

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

SMITHS GROUP, PLC, )  
                          )  
Plaintiff,            )  
                          )  
vs.                    )      Case No. 13-cv-00052-DSD-TNL  
                          )  
                          )  
RONALD A. FRISBIE, )  
                          )  
Defendant.            )

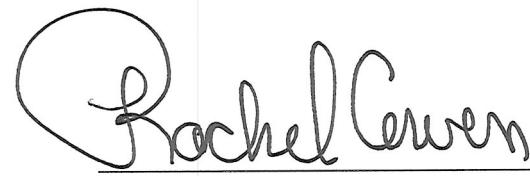
**DECLARATION OF RACHEL B. COWEN**

RACHEL COWEN, being duly sworn upon oath, states and alleges as follows:

1. I am an attorney with the law firm of DLA Piper LLP (US), and I am admitted *pro hac vice* to practice law before the U.S. District Court for the District of Minnesota. This affidavit is based upon my personal knowledge unless otherwise indicated.
2. Attached hereto as Exhibit A is a true and correct copy of Plaintiff's Responses and Objections to Defendant's Expedited Interrogatories.
3. Attached hereto as Exhibit B is a true and correct copy of Ronald Frisbie's earnings statement for the period ending July 3, 2010. It indicates that Frisbie's compensation was remitted from "Smiths Medical, ASD, Inc."
4. Attached hereto as Exhibit C are true and correct copies of a Delaware Secretary of State search and a Westlaw nationwide search for "smiths group," all of which yielded zero results for "Smiths Group, plc" as a registered entity.
5. Attached hereto as Exhibit D is a true and correct copy of a Smiths Medical Shareholdings report, produced by Plaintiffs in discovery, showing that Srinivasan Seshadri was a Director of Smiths ASD. (See Bates SMITHS0000067).

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: February 8, 2013



Rachel Cowen  
Rachel Cowen